

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KOHCHISE JACKSON,

Plaintiff,

-vs-

Case No. 19-cv-13382

Hon. Gershwin A. Drain

CHS TX, INC., *et al.*,

Defendants.

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**PLAINTIFF'S MOTION FOR WRIT TO ORDER APPEARANCE OF
INMATE BRANDON CHAPMAN**

NOW COMES Plaintiff, **KOHCHISE JACKSON**, by and through his attorneys, **MARKO LAW, PLLC**, and for his Motion for Writ to Order Appearance of Inmate Brandon Chapman, states as follows:

1. Brandon Chapman, a key witness in the upcoming trial in this matter, is currently in custody of the Federal Bureau of Prisons at FCI Hazelton (1640 Sky View Dr, Bruceton Mills, WV 26525).
2. Plaintiff seeks a writ of this Honorable Court ordering the Federal Bureau of Prisons to produce Inmate Brandon Chapman (Inmate No. 55370-039) to give testimony at trial.
3. Mr. Chapman was incarcerated with Plaintiff as his bunkmate during the times relevant to this case, and can provide crucial testimony about what he saw Plaintiff experience as a result of Defendants' refusal to allow surgery.
4. Mr. Chapman can specifically testify as to his direct observations of both the experience he saw Plaintiff go through, as well as the effects such had on Plaintiff's time while they were in custody together and while they shared a cell.
5. Such testimony therefore is critical for the jury to understand the extent of Plaintiff's damages resulting from Defendants' conduct.
6. Mr. Chapman may appear via Zoom in lieu of live testimony if necessary.

7. In accordance with Local Rule 7.1, counsel for Plaintiff contacted counsel for the Defendants and sought concurrence in this motion. Concurrence was refused.

WHEREFORE, for the reasons more fully set forth in the attached brief, Plaintiff respectfully requests this Honorable Court grant Plaintiff's Motion for Writ to Order Appearance of Inmate Brandon Chapman, and that Mr. Chapman be produced to give testimony either in-person or virtually via Zoom.

Respectfully submitted,

/s/ Jonathan R. Marko

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Date: July 8, 2025

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CONCISE STATEMENT OF ISSUES PRESENTED

- I. Whether this Honorable Court should issue a writ to require the Federal Bureau of Prisons produce inmate Brandon Chapman (Inmate No. 55370-039) to give testimony at trial.

Plaintiff states: Yes.

This Court should state: Yes.

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CONTROLLING OR MOST APPROPRIATE AUTHORITY

Statutes

28 U.S.C. § 2241(c)(5)

Cases

King v. Curtis, No. 1:14-cv-403, 2017 U.S. Dist. LEXIS 224794 (W.D. Mich. July 3, 2017)

Alexander v. Hoffman, No. 4:16-cv-12069, 2019 U.S. Dist. LEXIS 148212, (E.D. Mich. Aug. 30, 2019)

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LAW AND ARGUMENT

Inmate Brandon Chapman is a necessary witness in this matter, whose testimony will greatly assist jurors in understanding and making determinations about the issues in this case, as outlined in the foregoing Motion. This Honorable Court has “has discretion to issue a writ to require the prison authorities to produce” an incarcerated witness. *King v. Curtis*, No. 1:14-cv-403, 2017 U.S. Dist. LEXIS 224794, at *3 (W.D. Mich. July 3, 2017). “This court may grant a writ of habeas corpus if it is necessary to bring a prisoner into court to testify or for trial.” *Alexander v. Hoffman*, No. 4:16-cv-12069, 2019 U.S. Dist. LEXIS 148212, at *1 (E.D. Mich. Aug. 30, 2019) (internal punctuation and quotation omitted) (quoting 28 U.S.C. § 2241(c)(5)).

RELIEF REQUESTED

WHEREFORE, for the reasons more fully set forth in the attached brief, Plaintiff respectfully requests this Honorable Court grant Plaintiff’s Motion for Writ to Order Appearance of Inmate Brandon Chapman, and that Mr. Chapman be produced to give testimony either in-person or virtually via Zoom.

Respectfully submitted,

/s/ Jonathan R. Marko

Jonathan R. Marko (P72450)

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Date: July 8, 2025

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each attorney of record on **July 8, 2025** via:

- | | |
|--|--|
| <input type="checkbox"/> U.S. Mail | <input type="checkbox"/> Fax |
| <input type="checkbox"/> Hand Delivered | <input type="checkbox"/> Overnight Carrier |
| <input type="checkbox"/> Certified Mail | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> ECF System | <input type="checkbox"/> Email |

/s/Mackenzie S. Kell

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